

HOUSE BILL No. 1399

DIGEST OF INTRODUCED BILL

Citations Affected: IC 16-37-2-20.

Synopsis: Birth certificate information. Provides that the gender listed on an individual's birth certificate and permanent record made from the birth certificate may not be changed. Specifies certain exceptions.

Effective: July 1, 2022.

Borders

January 13, 2022, read first time and referred to Committee on Public Health.



Second Regular Session of the 122nd General Assembly (2022)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2021 Regular Session of the General Assembly.

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A BILL FOR AN ACT to amend the Indiana Code concerning health.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 16-37-2-20 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2022]: **Sec. 20. (a) Notwithstanding any other law, and except as**
4 **provided in subsection (b), the gender listed on an individual's:**

5 **(1) birth certificate; and**

6 **(2) permanent record made from the birth certificate under**
7 **section 9 of this chapter;**

8 **may not be changed.**

9 **(b) The gender listed on an individual's birth certificate and the**
10 **permanent record made from the birth certificate under section 9**
11 **of this chapter may be changed only if any of the following**
12 **conditions exist:**

13 **(1) The:**

14 **(A) person filing the birth certificate; or**

15 **(B) state department recording the information;**
16 **made a typographical or clerical error concerning the**
17 **individual's gender.**



- 1 **(2) The individual's gender was listed as male but a medical**
- 2 **test demonstrates the absence of a Y chromosome in the**
- 3 **individual's deoxyribonucleic acid (DNA).**
- 4 **(3) The individual's gender was listed as female but a medical**
- 5 **test demonstrates the presence of a Y chromosome in the**
- 6 **individual's deoxyribonucleic acid (DNA).**

